

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ERIC WINTERS,

Plaintiff,

v.

SUSAN ANDREWS, *et al.*,

Defendants.

No. 4:20-CV-01307

(Judge Brann)

ORDER

AND NOW, this 10th day of December 2020, in accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Defendants' Motion to Dismiss Count 3 (Doc. 6) is **GRANTED**.
2. Plaintiff may file an amended complaint, if he chooses, by December 31, 2020. If no amended complaint is filed by that date, the action will proceed exclusively on Counts 1 and 2, which Defendants have not opposed.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

United States District Judge